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FOR UTILITY/DESIGN CIP/PCT NATIONAL/PLANT ORIGINAL/SUBSTITUTE/SUPPLEMENTAL **DECLARATIONS**

RULE 63 (37 C.F.R. 1.63) DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

PW **FORM**

PAY-116 COG 2/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor. I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED METHOD OF AND SYSTEM FOR RAPIDLY LOCATING ALL PASSIVE UNDERGROUND ELECTRONIC MARKER TYPES

FAX NO.: 9403252546

X A	ne specification of w	hich (CHECK applicable)	BOX(ES)		·		-
	B. ☐ was filed (96	U.S. Application No.			
→ -3	C. Was filed	as PCT International	Application N	lo. PCT/ /	On	—· ———	
and (if applical	ble to U.S. or PCT a	polication) was amended	on				
foreign priority be Application which certificate, or PC	enefits under 35 U.S.C. h designated at least o T international Apolica	understand the contents of tiose all information known to a 119(e)-(d) or 385(b) of any tine other country than the Unition, filed by me or my assigned, or (2) if no priority claime	foreign application() ted States, listed b	o patentability as delined in (s) for patent or inventor's (lelow and have siso identification in the	n 37 C.F.R. 1.56. Except a certificate, or 365(a) of any	s noted below, I h PCT International	nereby claim !
PRIOR FOREI	IGN APPLICATION	(S)		Date first Laid-	D-44 D-4 4 4		
<u>Number</u>	Country	Day/MONTH/Y	ear <u>Filed</u>	open or Publishe	Date Patented d <u>or Gran</u> ted	Priority NO	г Clai <u>med</u>
application is in a	ii applications listed ac	domestic priority benefit unde occupant and, if this is a c ad in such prior applications, i e available between the filing	nsq-n-nonsunungan . acknowledge the	(CIP) application, insofar	as the subject matter discl	osed and daimed	in this
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Application No 30/454,504	o. (series code/ser	ial no.) Day/MO	NTH/Year Filed CH, 2003	-	g, aba <u>ndoned, patent</u> e Pending	Priority NOT d	Clai <u>med</u>
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2) INVENTOR	'S SIGNATURE:			Date	:		
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Rule 56(a) & (b) = 37 C.F.R. 1.56(a) & (b) PATENT AND TRADEMARK CASES - RULES OF PRACTICE **DUTY OF DISCLOSURE**

FAX NO.: 9403252546

... Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability...(b) information is material to patentability when it is not cumulative and (1) It also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability

PATENT LAWS 35 U.S.C.

§102. Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless--

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months* before the filing of the application in the United States, or
- the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- **(f)** he did not himself invent the subject matter sought to be patented, or
- Before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

§103. Condition for patentability; non-obvious subject matter

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made. . . .
- (c) Subject matter developed by another person, which qualified as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Six months for Design Applications (35 U.S.C. 172).

DECLARATION AND POWER OF ATTORNEY

(continued)
ADDITIONAL INVENTORS:

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FOR UTILITY/DESIGN CIP/PCT NATIONAL/PLANT ORIGINAL/SUBSTITUTE/SUPPLEMENTAL DECLARATIONS

RULE 63 (37 C.F.R. 1.63) DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PW FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED METHOD OF AND SYSTEM FOR RAPIDLY LOCATING ALL PASSIVE UNDERGROUND ELECTRONIC MARKER TYPES

X A. 🔯 is attached her			all C. Application No.	Philippine				
BOX(ES) → B. ☐ was filed on as U.S. Application No								
and (if applicable to U.S. or PCT a	application) was amended	on						
I hereby state that I have reviewed and above. I acknowledge the duty to discloreign priority benefits under 35 U.S.C Application which designated at least o certificate, or PCT International Applicathe application on which priority is claim	Junderstand the contents of the contents of the cose all information known to record the content of the content	ne above identified ne to be material to oreign application ted States, listed be ee disclosing the	o patentability as defined in 3 (s) for patent or inventor's cer below and have also identified subject matter claimed in this	7 C.F.R. 1.56. Except a lificate, or 365(a) of any helow any foreign applies	s noted below, I h PCT International	ereby claim		
PRIOR FOREIGN APPLICATION Number Country	(S) Day/MONTH/Y	ear Filed	Date first Laid- open or Published	Date Patented or Granted	Priority NOT	Claimed		
Except as noted below, I hereby claim of PCT international applications listed ab application is in addition to that disclose defined in 37 C.F.R. 1.56 which became application:	ove or below and, il this is a c ed in such prior applications. I	ontinuation-in-part acknowledge the	t (CIP) application, insotar as duty to disclose all information	the subject matter discless known to me to be mat	osed and claimed legal to patentabili	in this		
PRIOR U.S. PROVISIONAL., NON	PROVISIONAL AND/OR	PCT APPLICAT	TION(S)	Status	Priority NOT	Claimed		
PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S) Application No. (series code/serial no.) 60/454,504 Day/MONTH/Year Filed 12 MARCH, 2003 Pending Priority NOT Claimed pending, abandoned, patented Pending								
I hereby declare that all statements mad further that these statements were mad Section 1001 of Title 18 of the United S	e with the knowledge that will	ul false statement	s and the like so made are pu	nishable by line or impri	sonment, or both.	under		
Please direct all correspon	ndence to Victor J. C Diego, CA, 92130 a				no Real, Suit	e 200		
Jan	Diego, CA, 92 130 a	nu uneci an i	elephone calls to (83	00) 509-4007	 			
And I hereby appoint the below-named Trademark Office connected therewith a person/assignee/attorney/lirm/ organiza to be represented unless/until I instruct G. Lloyd Knight 17698 Robin L. Teskin 35030 George M. Sirilla 18221 Dale S. Lazar 28872 Jeffrey D. Karceski 35914 Suzanne L. Biggs 30158 James Y.C. Sze 43943	and with the resulting patent, a tion who/which first sends/ser	nd I hereby autho It his case to then v attorney in writin 28458 40862 F 35959 F 32243 49059 J 32995 A	rize them to act and rely on ir n and by whom/which I hereb	structions from and comy declare that I have con 34494 William P. 27248 Paul L. Sh 31204 Anthony L 38825 Jonathan	nmunicale directly isented after full di Atkins narer . Miele E. Jobe, Jr. /etherell, Jr.	with the		
(1) INVENTOR'S SIGNATURE:		-	Date:					
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	First	Middle Initial		Family Name				
Residence Mineral Wells	····	Texas		U.S.A.				
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Post Office Address	150 Southwind Road, M	ineral Wells, Te	xas		,, , , , , , , , , , , , , , , , , , ,			
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(2) INVENTOR'S SIGNATURE: 41): If ian Column Date: 3/5/04 William C. WOOD								
,	First	Middle Initial		Family Name				
Residence Fort Worth		Texas	**************************************	U.S.A.				
	City	Sli	ate/Foreign Country	.r. Cou	ntry of Citizenship			
Post Office Address	8301 Rock Canyon Cou							
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FOR ADDITIONAL INVENTO	ORS, "X" box 🔲 and	f proceed on		i. No. <u>083277-3</u>				

Rule 56(a) & (b) = 37 C.F.R. 1.56(a) & (b) PATENT AND TRADEMARK CASES - RULES OF PRACTICE DUTY OF DISCLOSURE

(a) ...Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability...(b) information is material to patentability when it is not cumulative and (1) It also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability

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- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months* before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) Before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

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^{*} Six months for Design Applications (35 U.S.C. 172).

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DECLARATION AND POWER OF ATTORNEY

(continued)
ADDITIONAL INVENTORS:

(3) INVENTOR'S SIGNATURE:			Date:			
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